

House File 402 - Introduced

HOUSE FILE _____
BY SHOMSHOR

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring automatic fire sprinkler systems in hotels and
2 motels and providing for penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2134YH 82
5 eg/je/5

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1 1 Section 1. NEW SECTION. 100.39A AUTOMATIC FIRE SPRINKLER
1 2 SYSTEMS IN HOTELS AND MOTELS == PENALTY.
1 3 1. A hotel or motel approved for construction after July
1 4 1, 2007, shall have an approved automatic sprinkler system, as
1 5 defined in section 100C.1, designed and installed in
1 6 conformity with rules promulgated by the state fire marshal
1 7 pursuant to this chapter. The rules shall require compliance
1 8 with national fire protection association standards, NFPA 13
1 9 and NFPA 13R. A governmental subdivision shall not issue a
1 10 certificate of occupancy or use absent compliance with this
1 11 section by the hotel or motel.
1 12 2. A hotel or motel that is in existence or under
1 13 construction on July 1, 2007, shall have an approved automatic
1 14 sprinkler system designed and installed in conformity with
1 15 rules promulgated by the state fire marshal pursuant to this
1 16 chapter on or before July 1, 2012. A hotel or motel that has
1 17 an approved automatic fire extinguishing system installed
1 18 pursuant to section 100.39 shall be deemed in compliance with
1 19 this section.
1 20 3. Plans and installation of automatic sprinkler systems
1 21 shall be approved by the state fire marshal, a designee of the
1 22 state fire marshal, or local authorities having jurisdiction.
1 23 Except where local fire protection regulations are more
1 24 stringent, the provisions of this section shall be applicable
1 25 to all hotels and motels. The definition of terms shall be in
1 26 conformity, insofar as possible, with definitions found in the
1 27 state building code adopted pursuant to section 103A.7.
1 28 4. The state fire marshal shall enforce this section and
1 29 may implement a program of inspections to monitor compliance
1 30 with this section. Upon inspection, the state fire marshal
1 31 shall issue a written notice to the owner or manager of a
1 32 hotel or motel of compliance or noncompliance with this
1 33 section. If the hotel or motel is in violation of this
1 34 section, the state fire marshal may issue an order to have the
1 35 premises of the hotel or motel vacated and the building closed
2 1 until an automatic sprinkler system is installed.
2 2 5. An owner, manager, or other employee of a hotel or
2 3 motel shall not hinder, delay, or interfere with an inspection
2 4 conducted to monitor compliance with this section.
2 5 6. Each day that a person violates a provision of this
2 6 section, or rule adopted pursuant to this section, constitutes
2 7 a separate offense for which such person is guilty of a simple
2 8 misdemeanor punishable by a fine of not more than one thousand
2 9 dollars. Upon each conviction, the person shall pay the costs
2 10 incurred by the state fire marshal or the county attorney
2 11 under section 100.14, to obtain such conviction.

EXPLANATION

2 12 This bill requires that all hotels and motels constructed
2 13 after July 1, 2007, have an automatic sprinkler system. The
2 14 bill requires that hotels and motels in existence on or being
2 15 constructed as of July 1, 2007, have automatic sprinkler
2 16 systems installed on or before July 1, 2012. Hotels and
2 17 motels that already have an automatic fire extinguishing
2 18 system installed pursuant to Code section 100.39 are deemed to
2 19 be in compliance with the automatic sprinkler system
2 20

2 21 requirement.

2 22 The bill requires that the automatic sprinkler systems meet
2 23 the national fire protection association standards, NFPA 13
2 24 and NFPA 13R. The bill also requires that the plans and
2 25 installation of the automatic sprinkler systems be approved by
2 26 the state fire marshal, a designee of the state fire marshal,
2 27 or local authorities having jurisdiction. If local fire
2 28 protection standards are more stringent, these standards
2 29 apply. To the extent possible, the definition of terms must
2 30 conform with the state building code.

2 31 The bill requires that the state fire marshal enforce the
2 32 requirement of automatic sprinkler systems. The state fire
2 33 marshal may implement a program of inspections to monitor
2 34 compliance. Upon inspection, the state fire marshal is to
2 35 issue a written notice to the hotel or motel owner or manager
3 1 of compliance or noncompliance. If a hotel or motel is not in
3 2 compliance, the state fire marshal may issue an order to have
3 3 the premises vacated and the building closed until an
3 4 automatic sprinkler system is installed.

3 5 The bill prohibits an owner, manager, or other employee
3 6 from hindering, delaying, or interfering with an inspection of
3 7 the hotel or motel.

3 8 The bill provides that a person who violates a provision of
3 9 this new Code section 100.39A or rules adopted by the state
3 10 fire marshal is guilty of a simple misdemeanor punishable by
3 11 a fine of not more than \$1,000. Each day of violation
3 12 constitutes a separate offense. Upon conviction, the person
3 13 shall pay the costs incurred by the state fire marshal or the
3 14 county attorney to obtain the conviction.

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